

3:23-mj-00148

DISTRICT OF OREGON, ss: AFFIDAVIT OF TODD HOAGLAND

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Todd Hoagland, being first duly sworn, hereby depose and state as follows:

Introduction and Agent Background

1. I am currently employed as a Special Agent with the Drug Enforcement Administration (DEA), United States Department of Justice and have been so employed since 2022. In that capacity, I investigate violations of the Controlled Substances Act, Title 21, United States Code, Section 801, et. Seq. In December 2022, I was assigned to the Salem, Oregon Resident Office. I have completed sixteen (16) weeks of DEA Basic Agent Training at the Justice Training Center in Quantico, Virginia. I am familiar with investigations of drug trafficking organizations, methods of importation and distribution of controlled substances, and financial investigations. I have assisted on multiple investigations involving organizations trafficking several controlled substances to include cocaine, heroin, methamphetamine, and fentanyl.

Purpose of Affidavit

2. This affidavit is submitted to support a criminal complaint and arrest warrant for Alberto Vasquez, date of birth xx/xx/1991 (hereinafter “VASQUEZ”), for possession with intent to distribute fentanyl, in violation of Title 21, United States Code, Section 841(a)(1).

3. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. I have obtained the facts set forth in this affidavit through my personal participation in the investigation described below; from written and oral reports of other law enforcement officers; and, from records, documents and other evidence obtained during this investigation.

4. On August 29, 2023, Oregon State Police (OSP) Trooper Smith initiated a traffic stop on a Chevrolet Impala traveling northbound on I-5 in Linn County, Oregon near mile post 214. Trooper Smith initiated the traffic stop based on the illegal window tint on the vehicle and because it was following another vehicle too closely. The Chevrolet Impala was occupied by a Hispanic male subsequently identified as VASQUEZ (driver), an adult female passenger, and a juvenile passenger. Trooper Smith asked VASQUEZ for a valid driver's license to which VASQUEZ stated that he had no valid driver license. VASQUEZ identified himself to Trooper Smith as Rigoberto Vasquez-Martinez using a Mexico identification card. During the encounter, Trooper Smith noticed that VASQUEZ was exhibiting heavy breathing and was very vague with his responses to Trooper Smith's questions.

5. Trooper Smith asked VASQUEZ for consent to search the Impala. VASQUEZ granted verbal consent. Pursuant to a search of the Impala, officers located a backpack in the trunk containing four individual boxes wrapped in opaque tape and a plastic bag. Inside each of the boxes and the plastic bag, officers located thousands of suspected fentanyl tablets (shown in the photograph below). Officers also located a bundle of United States currency (approximately \$3,000) in the trunk of the vehicle. The total weight of the suspected fentanyl tablets (with DEA packaging) is approximately 7 ½ kilograms.

6. DEA Task Force Officer (TFO) McCarley and I later inspected the suspected fentanyl tablets and observed they were light blue in color and marked with "M" on one side and "30" on the other side. These tablets were not subject to a field test.

7. Based on my training and experience, I further know that drug traffickers regularly sell counterfeit M30 prescription oxycodone tablets that are manufactured with fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), a Schedule II controlled

substance. These counterfeit tablets are designed to replicate real 30 mg Oxycodone Hydrochloride tablets, which are round, blue in color, and stamped with an “M” and “30” on them. Drug dealers regularly counterfeit these tablets and, while attempting to replicate the round shape, the blue color, and the stamp of “M” and “30,” they are instead manufacturing these tablets with fentanyl as the active ingredient. I have seen and seized tens of thousands of these counterfeit M30 tablets and lab reports have confirmed the presence of fentanyl within many of them. Based on my training and experience, I know that a person possessing thousands of fentanyl tablets does not possess those tablets for personal use but rather such a quantity indicates that they are possessed for purposes of further distribution.



8. Officers arrested VASQUEZ and advised him of his Miranda rights. VASQUEZ admitted that he knew he was transporting drugs but said he was unaware of the type or quantity. Based on a scan of his fingerprints, officers confirmed the identity of the driver as VASQUEZ.

According to my review of VASQUEZ's rap sheet, he has a 2016 conviction for distribution of heroin, for which he was sentenced to 18 months' imprisonment.

Conclusion

9. Based on the foregoing, I have probable cause to believe, and I do believe, that VASQUEZ committed the crime of possession with intent to distribute fentanyl, in violation of Title 21, United States Code, Section 841(a)(1). I therefore request that the Court issue a criminal complaint and arrest warrant for VASQUEZ.

10. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney Peter Sax. AUSA Sax advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

By phone pursuant to Fed R. Crim. P. 4.1

TODD HOAGLAND
Special Agent
Drug Enforcement Administration

Subscribed and sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone at 10:23 am on August 30, 2023.

/s/ Youlee Yim You

HON. YOULEE YIM YOU
UNITED STATES MAGISTRATE JUDGE